

Order

Michigan Supreme Court
Lansing, Michigan

June 23, 2023

Elizabeth T. Clement,
Chief Justice

163989

Brian K. Zahra
David F. Viviano
Richard H. Bernstein
Megan K. Cavanagh
Elizabeth M. Welch
Kyra H. Bolden,
Justices

TIMIKA RAYFORD,
Plaintiff-Appellant,

v

SC: 163989
COA: 355232
Macomb CC: 2020-001548-CD

AMERICAN HOUSE ROSEVILLE I, LLC, d/b/a
AMERICAN HOUSE EAST I, d/b/a
AMERICAN HOUSE,
Defendant-Appellee.

By order of May 3, 2022, the application for leave to appeal the December 16, 2021 judgment of the Court of Appeals was held in abeyance pending the decision in *McMillon v City of Kalamazoo* (Docket No. 162680). On order of the Court, the case having been decided on January 11, 2023, ___ Mich ___ (2023), the application is again considered. We direct the Clerk to schedule oral argument on the application. MCR 7.305(H)(1). The parties shall file supplemental briefs in accordance with MCR 7.312(E), addressing whether *Timko v Oakwood Custom Coating, Inc*, 244 Mich App 234 (2001), correctly held that contractual limitations clauses which restrict civil rights claims do not violate public policy. See, e.g., *Rodriguez v Raymours Furniture Co, Inc*, 225 NJ 343 (2016).

We further direct the Clerk to schedule the oral argument in this case for the same future session of the Court when it will hear oral argument in *Adilovic v Monroe LLC* (Docket No. 164750) and *Saidizand v GoJet Airlines LLC* (Docket No. 163664).

The Business Law and Labor and Employment Law Sections of the State Bar of Michigan, the Michigan Association for Justice, the Michigan Chamber of Commerce, and the Michigan Defense Trial Counsel, Inc., are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issue presented in this case may move the Court for permission to file briefs amicus curiae.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 23, 2023

Clerk